IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.2382 OF 2000

M/s.Venky's (India) Ltd.
(formerly known as Western
Hatcheries Ltd.) .. Petitioner.

V/s.

The Union of India & Another .. Respondents.

Mr.M.R. Baya i/b. M.G. Gawde for the petitioner.

Mr.P.S. Jetly i/b. Mr.Y.R. Mishra i/b. Mr.R.N. Bandopadhyay for the respondents.

CORAM : R.M. LODHA &
J.P. DEVADHAR, JJ.

DATED : 5TH MAY, 2006.

P.C. :

Heard.

2. Mr.P.S. Jetly, the counsel for the revenue submits that the subject bills of entry (Exhibit 'B' annexed to the writ petition) shall be finalised in the light of the judgments of the Supreme Court in the case of: (i) Sun Export Corporation V/s. Collector of Customs, Bombay, 1997 (93 (E.L.T. 641 (S.C.) (ii) Collector of Central Excise, Bangalore V/s. Tetragon Chemie P. Ltd., 2001 (132) E.L.T. 525 (S.C.) (iii) Commissioner of Central Excise, Pune V/s. Abhi Chemicals & Pharmaceuticals Pvt. Ltd., 2005 (181) E.L.T. 351 (S.C.)

3. The learned counsel for the petitioner is satisfied with the statement of the counsel for the revenue.

4. In view thereof, we dispose of the writ petition by following order :

> The respondent No.1 shall finalise the subject bills of entry (Exhibit 'B' annexed to the writ petition) within three months from today in accord with the aforesaid judgments of the Supreme Court.

5. No costs.

(R.M. LODHA, J.)

(J.P. DEVADHAR, J.)